

JUN 08 2006

PTO/SB/31 (04-05)

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NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

P5764

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Signature \_\_\_\_\_

Typed or printed name Derek S. Watson

In re Application of  
Ned M. SmithApplication Number  
09/397,455Filed  
08/18/1999

For Method and Apparatus to Assign Trust to a Key

Art Unit  
2132Examiner  
Fields, Courtney D.

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ \_\_\_\_\_
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0221. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

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I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)
- ☒ attorney or agent of record.  
Registration number 54,431
- ☐ attorney or agent acting under 37 CFR 1.34.  
Registration number If acting under 37 CFR 1.34. \_\_\_\_\_

/s/Justin B. Scout/Reg. No. 54,431/

Signature

Justin B. Scout

Typed or printed name

503-264-7002

Telephone number

June 8, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

06/09/2006 AKELECH1 00000090 500221 09397455

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JUN 08 2006

PTO/SB/17 (12-04v2)

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL  
For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)  
500.00**Complete if Known**

Application Number	09/397,455
Filing Date	09/16, 1999
First Named Inventor	Smith, Ned M.
Examiner Name	Fields, Courtney D.
Art Unit	2132
Attorney Docket No.	P6764

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number 50-0221 Deposit Account Name: Intel Corporation

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**

\_\_\_\_\_ - 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**

\_\_\_\_\_ - 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

\_\_\_\_\_ - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Notice of Appeal**SUBMITTED BY**

Signature	/s/Justin B. Scout/Reg. No. 54,431/	Registration No. 54,431 (Attorney/Agent)	Telephone 503-264-7002
Name (Print/Type)	Justin B. Scout		Date June 8, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 500.00

**Complete if Known**

Application Number	09/397,455
Filing Date	09/16, 1999
First Named Inventor	Smith, Ned M.
Examiner Name	Fields, Courtney D.
Art Unit	2132
Attorney Docket No.	P6764

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 50-0221 Deposit Account Name: Intel Corporation

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

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Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Fee Description	Fee (\$)	Small Entity Fee (\$)
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**Total Claims**            **Extra Claims**            **Fee (\$)**            **Fee Paid (\$)**           

- 20 or HP =            x            =           

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims**            **Extra Claims**            **Fee (\$)**            **Fee Paid (\$)**           

- 3 or HP =            x            =           

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

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**Total Sheets**            **Extra Sheets**            **Number of each additional 50 or fraction thereof**            **Fee (\$)**            **Fee Paid (\$)**           

- 100 =            / 50 =            (round up to a whole number) x            =           

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Notice of Appeal

**Fees Paid (\$)****SUBMITTED BY**

Signature	/s/Justin B. Scout/Reg. No. 54,431/	Registration No. (Attorney/Agent) 54,431	Telephone 503-264-7002
Name (Print/Type)	Justin B. Scout		Date June 8, 2006

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ATTORNEY CONFIDENTIAL

Intel Corporation  
2111 Ne 25<sup>th</sup> Avenue, MS: JF3-147  
Hillsboro, Oregon 97124

Intel Legal Team

Fax

Page 1 of 31

Urgent

Confidential

Date: 8-Jun-06

To:  
Examiner: Fields, Courtney  
USPTO

Fax:  
(571)-273-8300

Art Unit:  
2132

From:  
Justin B. Scout  
Intel Corporation

Fax:  
503-264-1729

M/S:  
JF3-147

Subject: Application No.: 09/397,455    Docket #: P6764  
Filed: September 16, 1999    Inventor: Ned M. Smith

I hereby certify that the below listed correspondence is being facsimile transmitted to the USPTO to: Mail Stop: Notice of Appeal, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on June 8, 2006.  
Derek S. Watson                      Date: June 8, 2006

## Message:

Included in this transmission:  
Fax Cover Sheet (1 page)  
Transmittal Form (1 page)  
Fee Transmittal (1 page submitted in duplicate)  
Notice of Appeal (1 page)  
Brief in Support of Appeal (26 pages)

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PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

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Total Number of Pages in This Submission

31

Application Number

09/397,455

Filing Date

09/16/1999

First Named Inventor

Smith, Ned M.

Art Unit

2132

Examiner Name

Fields, Courtney D.

Attorney Docket Number

P6764

**ENCLOSURES**

(Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



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Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):

- Fax Transmittal

- Brief in Support of Appeal

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Intel Corporation

Signature

/s/Justin B. Scout/Reg. No. 54,431/

Printed name

Justin B. Scout

Date

June 8, 2006

Reg. No.

54,431

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Signature

Typed or printed name

Derek S. Watson

Date

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